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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ADVANCE MAGAZINE PUBLISHERS INC.
d/b/a THE CONDÉ NAST PUBLICATIONS,

Plaintiff,

v.

ACTIV8NOW, LLC and ACTIVE8MEDIA, LLC,

Defendants,
Counterclaimants Activ8now
and Active8media,

v.

ADVANCE PUBLICATIONS, INC.
and RICHFX, INC.,

Third Party Defendants.

CIVIL ACTION NO.:
1:05-cv-07516-(KMK)(DFE)

EXHIBIT G TO
RICHFX, INC.'S OPENING CLAIM CONSTRUCTION BRIEF



WEBSTER'S
Ninth New
Collegiate
Dictionary



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1290 Uniate • unison

more at UNION] (1833): a Christian of a church adhering to an Eastern rite and discipline but submitting to papal authority — *Uniate adj*
uni-ax-ial \yü-ni-ak-sē-əl/ *adj* (ca. 1855) 1: having only one axis 2: of or relating to only one axis

uni-camera-l \yü-ni-kam-(ə)-rāl/ *adj* [uni- + LL *camera* room, chamber + E -al — more at CHAMBER] (1853): having or consisting of a single legislative chamber — *uni-camera-ly* \-ē/ *adv*
uni-cell-lar \yü-ni-sel-yā-lər/ *adj* (1858): having or consisting of a single cell

uni-corn \yü-nā-kō(ə)r-n/ *n* [ME *unicorne*, fr. OF, fr. LL *unicornis*, fr. L, having one horn, fr. *uni-* + *cornu* horn — more at HORN] (13c): a mythical animal generally depicted with the body and head of a horse, the hind legs of a stag, the tail of a lion, and a single horn in the middle of the forehead

uni-cy-cle \yü-ni-si-kəl/ *n* [uni- + *cycle* (as in *tricycle*)] (1869): any of various vehicles that have a single wheel and are propelled usu. by pedals or applied draft — *uni-cy-clist* \-si-k(ə)-lɪst/ *n*

uni-dimen-sional \yü-ni-dā-men-shən-əl/ *adj* [uni- + *dimensional* also -di-] (1883): ONE-DIMENSIONAL — *uni-dimen-sion-al-ly* \-ən-shən-əl-ē/ *adv*

uni-dir-rec-tional \yü-ni-dā-rek-shən-əl/ *adj* [uni- + *directional* also -di-] (1883) 1: involving, functioning, moving, or responsive in a single direction 2: not subject to change or reversal of direction — *uni-dir-rec-tion-al-ly* \-ē/ *adv*

uni-dir-rec-tional \yü-ni-dā-rek-shən-əl/ *adj* (1883): DIRECT CURRENT
uni-fac-to-ri-al \yü-ni-fak-tōr-ē-əl/ *adj* (1933): relating to or controlled by a single gene (~ disorders)

uni-fi-ca-tion \yü-nā-fē-kā-shən/ *n* (1851): the act, process, or result of unifying: the state of being unified

uni-fi-lar \yü-ni-fi-lər/ *adj* (1856): having or involving use of only one thread, wire, or fiber
uni-foli-ate \-fō-lē-ət/ *adj* (1849) 1: having only one leaf 2: UNIFOLIATE

uni-foli-ate \-fō-lē-ət/ *adj*, of a leaf (ca. 1864): compound but having only a single leaflet and distinguishable from a simple leaf by the basal joint

uni-form \yü-nā-fōrm/ *adj* [MF *uniforme*, fr. L *uniformis*, fr. *uni-* + *formis* -form] (1540) 1: having always the same form, manner, or degree: not varying or variable 2: of the same form with others: conforming to one rule or mode: CONSONANT 3: presenting an unvaried appearance of surface, pattern, or color (~ red brick houses) 4: consistent in conduct or opinion (~ interpretation of laws) 5: relating to or being convergence of a series whose terms are functions in such manner that the absolute value of the difference between the sum of the first *n* terms of the series and the sum of all terms can be made arbitrarily small for all values of the domain of the functions by choosing the *n*th term sufficiently far along in the series — *uni-form-ly* \yü-nā-fōrm-lē/ *adv* — *uni-form-ness* \yü-nā-fōrm-nəs/ *n*

uniform *vi* (1681) 1: to bring into uniformity 2: to clothe with a uniform

uniform *n* (1748): dress of a distinctive design or fashion worn by members of a particular group and serving as a means of identification; broadly: distinctive or characteristic clothing

Uniform (ca. 1956) — a communications code word for the letter *u*
uni-for-mi-tar-i-an \yü-nā-fōr-mā-tēr-ē-ən/ *n* (1840) 1: an adherent of the doctrine of uniformitarianism 2: an advocate of uniformity — *uniformitarian* *adj*

uni-for-mi-tar-i-an-ism \-ē-ən-iz-əm/ *n* (1865): a geological doctrine that existing processes acting in the same manner as at present are sufficient to account for all geological changes

uni-for-mi-ty \yü-nā-fōr-mā-tē-ē/ *n*, *pl* -ties (15c) 1: the quality or state of being uniform 2: an instance of uniformity

unify \yü-nā-fī/ *vi* -fied; -fying [LL *unificare*, fr. L *uni-* + *ficare* -fy] (1502): to make into a unit or a coherent whole: UNITE — *uni-fi-able* \-fi-ə-bəl/ *adj* — *uni-fier* \-fī-ər/ *n*

uni-lat-er-al \yü-ni-lāt-ə-rāl/ *adj* (1802) 1: a: done or undertaken by one person or party b: of, relating to, or affecting one side of a subject: ONE-SIDED c: constituting or relating to a contract or engagement by which an express obligation to do or forbear is imposed on only one party 2: a: having parts arranged on one side (a ~ raceme) b: occurring on, performed on, or affecting one side of the body or one of its parts (~ exophthalmos) 3: UNILINEAL 4: having only one side — *uni-lat-er-al-ly* \-ē/ *adv*

uni-lin-eal \-līn-ē-əl/ *adj* (1952): tracing descent through either the maternal or paternal line only

uni-lin-eal \-līn-ē-əl/ *adj* (1926): developing in or involving a series of stages usu. from the primitive to the more advanced (a ~ cultural sequence)

uni-lin-gual \yü-ni-līn-gwāl/ *adj* [uni- + L *lingua* tongue, language — more at TONGUE] (1866): composed of or using one language only

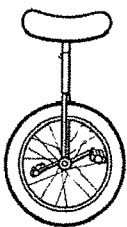
uni-lu-sioned \-lū-shən-əd/ *adj* (1926): free from illusion
uni-loc-u-lar \yü-ni-lōk-yū-lər/ *adj* (1753): containing a single cavity
uni-mag-in-able \-ən-ə-maj-(ə)-nā-bəl/ *adj* (ca. 1611): not imaginable or comprehensible — *uni-mag-in-ably* \-ə-bəl/ *adv*

uni-m-peach-able \-ən-m-pē-cha-bəl/ *adj* (1784): not impeachable; not to be called in question; not liable to accusation: IRREPROACHABLE BLAMELESS — *uni-m-peach-ably* \-ə-bəl/ *adv*

un-im-proved \-prūvd/ *adj*, obs (1602): not reproofed or admonished
un-im-proved *adj* (1665): not improved; as: a: not tilled, built on, or otherwise improved for use (~ land) b: not used or employed advantageously (wasted time and ~ opportunities) c: not selectively bred for better quality or productiveness

un-in-hib-ited \-ən-in-hīb-ət-əd/ *adj* (ca. 1909): free from inhibition; also: boisterously informal — *un-in-hib-ited-ly* *adv* — *un-in-hib-ited-ness* *n*

un-ini-ti-ate \-ən-ə-nish-(ē)-ət/ *adj* (1801): not initiated: INEXPERIENCED
un-in-ter-est \(')ən-in-trast; -int-ə-rast; -ə-rast; -'in-trēst/ *n* (1952)



unicycle

un-in-ter-est-ed *adj* (1661): not interested: not having the mind or feelings engaged *usage* see DISINTERESTED
uni-nu-cle-ate \yü-ni-n(yü)-klē-ət/ *adj* (1885): having a single nucleus (a ~ yeast cell)

union \yü-n-yən/ *n* [ME, fr. MF, fr. LL *unio*, *unio* oneness, union, fr. L *unus* one — more at ONE] (15c) 1: a: an act or instance of uniting or joining two or more things into one: as (1): the formation of a single political unit from two or more separate and independent units (2): a uniting in marriage; also: SEXUAL INTERCOURSE (3): the growing together of severed parts b: a unified condition: COMBINATION, JUNCTION (a gracious ~ of excellence and strength) 2: something that is made one: something formed by a combining or coalition of parts or members: as a: a confederation of independent individuals (as nations or persons) for some common purpose b: a political unit constituting an organic whole formed usu. from previously independent units (as England and Scotland in 1707) which have surrendered their principal powers to the government of the whole or to a newly created government (as the U.S. in 1789) c: cap: an organization on a college or university campus providing recreational, social, cultural, and sometimes dining facilities; also: the building housing such an organization d: the set of all elements belonging to one or more of a given collection of two or more sets — called also *join*, *sum* e: LABOR UNION 3: a: a device emblematic of the union of two or more sovereignties borne on a national flag typically in the upper inner corner or constituting the whole design of the flag b: the upper inner corner of a flag 4: any of various devices for connecting parts (as of a machine); esp: a coupling for pipes or pipes and fittings

union *adj* (1707): of, relating to, dealing with, or constituting a union

union card *n* (1874) 1: a card certifying personal membership in good standing in a labor union 2: something that resembles a union card esp. in being necessary for employment or in providing evidence of in-group status

union church *n* (1847): a local church uniting members of diverse denominational backgrounds in an interdenominational congregation

union-ism \yü-n-yā-niz-əm/ *n* (1845): the principle or policy of forming or adhering to a union: as a: cap: adherence to the policy of a firm federal union between the states of the United States esp. during the Civil War period b: the principles, theory, advocacy, or system of trade unions

union-ist \-nast/ *n* (1799): an advocate or supporter of union or unionism

union-iza-tion \yü-n-yā-nā-zā-shən/ *n* (1896) 1: the quality or state of being unionized 2: the action of unionizing

union-ize \yü-n-yā-niz/ *vb* -ized; -izing *vi* (1890): to organize into a labor union ~ *vi*: to form or join a labor union

union-ized *adj* (1900): characterized by the presence of labor unions (~ states)

union jack *n*, often *cap* U&J (1674): a jack consisting of the union of a national ensign

union shop *n* (ca. 1909): an establishment in which the employer by agreement is free to hire nonmembers as well as members of the union but retains nonmembers on the payroll only on condition of their becoming members of the union within a specified time

union suit *n* (1901): an undergarment with shirt and drawers in one piece

uni-pa-ren-tal \yü-ni-pā-rent-əl/ *adj* (ca. 1909): having or involving a single parent; esp: PARthenogenetic — *uni-pa-ren-tal-ly* \-ē-əl/ *adv*

uni-po-lar \yü-ni-pō-lər/ *adj* (1812): having, produced by, or acting by a single magnetic or electrical pole — *uni-pō-lar-i-ty* \-pō-lar-ē-tē-, -pō-/ *n*

unique \yü-nēk/ *adj* [F, fr. L *unicus*, fr. *unus* one — more at ONE] (1602) 1: being the only one: SOLE (his ~ concern was his own comfort) (I can't walk away with a ~ copy. Suppose I lost it? — Kingsley Amis) (the ~ factorization of a number into prime factors) 2: a: being without a like or equal: UNEQUALLED (could stare at the flames, each one new, violent, ~ — Robert Coover) b: distinctively characteristic: PECULIAR 1 (this is not a condition ~ to California — Ronald Reagan) 3: UNUSUAL (a very ~ ball-point pen) (we were fairly ~, the sixty of us, in that there wasn't one good mixer in the bunch — J.D. Salinger) *syn* see STRANGE — *unique-ly* *adv* — *unique-ness* *n*

usage Many commentators have objected to the comparison or modification (as by *somehow*, *almost*, or *very*) of *unique*; the statement that a thing is either unique or it is not has often been repeated by them. Objections are based chiefly on the assumption that *unique* has but a single absolute sense, an assumption contradicted by information readily available in a dictionary. *Unique* dates back to the 17th century but was little used until the end of the 18th when, according to the Oxford English Dictionary, it was reacquired from French. H.J. Todd entered it as a foreign word in his edition (1818) of Johnson's Dictionary, characterizing it as "affected and useless." Around the middle of the 19th century it ceased to be considered foreign and came into considerable popular use. With popular use came a broadening of application beyond the original two meanings (here numbered 1 and 2a). In modern use both comparison and modification are widespread and standard but are confined to the extended senses 2b and 3. When sense 1 or sense 2a is intended, *unique* is used without qualifying modifiers.

uni-sex \yü-nā-seks/ *n* (1966): the state or condition of not being distinguishable (as by hair or clothing) as to sex

unisex *adj* (1968) 1: not distinguishable as male or female (a ~ face) 2: suitable or designed for both males and females (~ clothes)

uni-sex-u-al \yü-nā-seks-(ə)-wəl, -seks-shəl/ *adj* (ca. 1802) 1: of, relating to, or restricted to one sex: a: male or female but not hermaphroditic b: DICHLINOUS (a ~ flower) 2: UNISEX — *uni-sex-u-al-ty* \-seks-shə-wəl-ē-tē/ *n*

unison \yü-nā-sən, -nā-zən/ *n* [MF, fr. ML *unisonus* having the same sound, fr. L *uni-* + *sonus* sound — more at SOUND] (1575) 1: identity in musical pitch; *specif*: the interval of a perfect prime b: the state of being so tuned or sounded c: the writing, playing, or singing of parts in a musical passage at the same pitch or in octaves 2: a harmonious agreement or union: CONCORD — *unison* *adj* — *in unison* 1: in perfect agreement: so as to harmonize exactly 2: *in*

unit \yü-nat/ *n* [back-formation from *unity*] least natural number: ONE b in calculation 2: a determin value) adopted as a standard work used in education in cal of a biologically active agent (a specific result under strictly thing, person, or group that is military establishment that has nel and material) e: a piece form one particular function, a central theme e: a local cor

unit *adj* (1844): being, relating

unit-age \yü-nat-ij/ *n* (1935)

tuting a unit 2: amount in un

uni-tar-i-an \yü-nā-tēr-ē-ən/ *n* 1 a often *cap*: one who belie son b *cap*: a member of a de dom of belief, the free use of re nity, and liberal social action system — *unitarian* *adj*, often

often *cap*

uni-tar-y \yü-nā-tēr-ē/ *adj* (186 : based on or characterized by of a unit: UNDIVIDED, WHOLE —

unit cell *n* (ca. 1936): the sim; structural characteristics of an lattice of a crystal

unit character *n* (ca. 1909): a r none basis; esp: one dependent gene

unit circle *n* (1955): a circle whc

unit \yü-nit/ *vb* unit-ed; unit-

unite to make one, fr. L, fr. un-

to put together to form a sing

link by a legal or moral bond

tion ~ *vi* 1 a: to become one by or as if by adhesion or mixt

— *unite-r* *n*

unite \yü-nit/ *n* [obs. *unite* (u

(1604): an old British gold 20-

1604 for the newly united Engla

united \yü-nit-əd/ *adj* (1552) 1

to or produced by joint action

— *united-ly* *adv*

United Nations Day *n* (1947): O

of the founding of the United Na

United States \yü-nit-əd/, *esp* So

(1617): a federation of states (

specified territory (advocating a

unite \yü-nat-iv, yü-nit-iv/ *adj* (

produce union

unitize \yü-nat-iz/ *vt* -ized; -iz-

unit 2: to divide into units (

ucts) — *unitization* \yü-nat-ə-

unit magnetic pole *n* (ca. 1890):

a and like pole at a distance of one

one dync

unit membrane *n* [fr. its being the

a 3-layered membrane that com-

by a protein layer on each side

unit rule *n* (1884): a rule under w

cal convention casts its entire vot

ity vote

unit-trust \yü-ni-trast/ *n* (1970):

receives annually a fixed percenta

units digit *n* (1955): the numeral (

in a number expressed in the Arab

units place *n* (1937): the place in

point in a number expressed in the

unit train *n* (1964): a railway trai

directly from producer to consum

unit trust *n* (1940) 1 Brit: MUTU

whose portfolio consists of long-te

unit-y \yü-nat-ē/ *n*, *pl* -ties [ME *u*

fr. *unus* one — more at ONE] (14

being multiple; ONENESS b (1)

for which 1 is made to stand in c

the radius of the circle is regard

a condition of harmony: ACCO

or change (as in purpose or action,

made one: UNIFICATION b: a co

literary or artistic production that

undivided total effect; also: the re

try and consistency of style and

parts: an entity that is a comple

three principles of dramatic stru

from Aristotle's *Poetics* and requi

represented as occurring in one p

20th century American religious t

formerly affiliated with New Tho

tiarity

uni-valent \yü-ni-vā-lənt/ *n* (192

aptic mate

uni-valent *adj* (1933) 1: having a

somal univalent

uni-valve \yü-ni-vālv/ *n* (1668) 1:

one valve; esp: GASTROPOD 2: a n

— *univalve* *adj*